The claims have been amended to more clearly define the invention as disclosed in the written description. In particular, the claims have been amended for clarity.

The Examiner has rejected claims 1, 2, 5-11 and 13-16 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 6,031,960 to Lane. The Examiner has further rejected claims 3, 4 and 12 under 35 U.S.C. 103(a) as being unpatentable over Lane in view of U.S. Patent 6,973,258 to Yoo et al.

The Lane patent discloses methods for modifying a video data stream by adding headers to facilitate the identification of packets including a PCR, PTS or DTS value.

As noted in MPEP §2131, it is well-founded that "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California,* 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Further, "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.,* 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).The elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required. *In re Bond,* 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

The Examiner has indicated that Lane teaches, among others, the system of the subject invention, including an encoding

device and a storage device connected via a digital video communication system, and a decoder/renderer, in which the encoding device includes an input (104), an encoder (col. 7, lines 26-32; col. 7, line 68 to col. 8, line 4; col. 3, lines 31-39; col. 5, lines 14-19) and an output (col. 4, lines 64-67.

Applicants submit that while Lane discloses the encoding device including the input and the encoder, the output noted by the Examiner is not an output of the encoding device of Lane, but rather, an output carrying an output from the storage device.

Further, with regard to the storage device, the Examiner has indicate that the input is disclosed by Lane at col. 4, lines 64-67.

Applicants submit that the Examiner is mistaken. in particular, this section of Lane is describing the output from the video tape recorder playback circuit.

In addition, the Examiner has indicated that time-base modifier (220) replaces the video presentation time stamps (PTS), and the program clock reference stamps (PCR). However, there is no disclosure or suggestion that the replacing of the PCR's is performed by "using a scaling factor that depends on a ratio of an expected time between a video presentation time stamp j and a preceding video presentation time stamp j-n and an actual time between the video presentation time stamp j and the preceding video presentation time stamp j-n, where j• n>0, and the expected time is n times the predetermined frame time". In addition, the bitstream corrector 220 of Lane operates on the output signal from the

storage (tape 212), while, in the subject invention, the time-base corrector operates on the input signal to the storage.

While Lane discloses a storage (tape 112/212), it should be noted that except for trick play data, the output from the encoder is recorded directly to the storage without time-base correction, while the output from the storage is subjected to time-base correction. This is opposite from the subject invention, in which the output from the encoding device, after being applied to a digital video communication system, is input by the storage device, applied to a time-base modifier, and then stored in the storage.

The Yoo et al. patent discloses a method and apparatus for recording digital data streams.

Claim 3 includes the limitation "wherein the time-base modifier is operative to low-pass filter the received video presentation time stamps and the clock unit is locked to the filtered video presentation time stamps", while claim 4 includes the limitation "wherein the time-base modifier is operative to low-pass filter the scaling factor".

The Examiner has indicated that this is discloses in Yoo et al. at col. 5, lines 40-51.

Applicants submit that the Examiner is mistaken. In particular, the noted section of Yoo et al. states:

"If a PCR detector 50 detects a PCR value contained in the transport stream packet P1, a subtractor 51 subtracts the output of a counter 57 from the PCR value. The subtraction result, which is a digital error signal (e1), is converted into an analog error signal and applied to a low-pass filter 53. The low-pass filtered error signal is then applied to a voltage-

controlled oscillator (VCO) 55, thereby adjusting the oscillation frequency of VCO 55 so that the oscillator clock can be locked with the PCR value. The digital error signal (e1), the PCR value, and the counter value (t1) at the time the transport stream packet P1 is received are temporarily stored in a buffer 59 and the transport stream packet P1 is stored in a buffer 63."

Applicants submit that as in Lane and in the subject application, PTS's are presentation time stamps, while PCR's are program clock references. It should be apparent from the above that Yoo et al. is low-pass filtering a function relating to the PCR, and as such, neither discloses nor suggests low-pass filtering the received video presentation time stamps, nor the scale factor which, as indicated in claim 1, is based on the received video presentation time stamps.

In view of the above, Applicants believe that the subject invention, as claimed, is neither anticipated nor rendered obvious by the prior art, either individually or collectively, and as such, is patentable thereover.

Applicants believe that this application, containing claims 1-16, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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